

REMARKS

Claims 29-31 and 33-50 were pending in the present application. Claims 37-44 were withdrawn from consideration. Accordingly, claims 29-31, 33-36, and 45-50 are currently under consideration. Amendment and cancellation of certain claims is not to be construed as a dedication to the public of any of the subject matter of the claims as previously presented. No new matter has been added.

Rejections under 35 U.S.C. §103(a)

Claims 29, 30, 33-36 and 45-50 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Heinonen '020 in view of Heinonen '586 and Berman (WO 2000/021437).

Claim 31 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Heinonen '020, Heinonen '586 and Berman (WO00/21437) as applied to claim 29 above, and further in view of Mault.

In response, Applicants have amended the priority claim of the present application and have previously submitted a Petition to Accept An Unintentionally Delayed Claim For Priority Under 35 U.S.C. § 120 on September 26, 2008, a copy of which is submitted herewith for reference.

The priority claim of the present application has been amended to claim the benefit of priority to WO 2000/021437 (PCT/US1999/023823). The subject matter of U.S. Pat. Serial No. 09/547,433 (now U.S. Pat. 6,424,851) was already previously incorporated by reference in paragraph [0006] of the application as filed in both the present application and in its parent application, 09/844,687 (now U.S. Pat. 6,748,250). Therefore, no new matter has been added. Moreover, co-pendency was satisfied as U.S. Pat. App. 09/844,687 was filed April 27, 2001, which was prior to the issuance date of July 23, 2002 of U.S. Pat. App. 09/547,433.

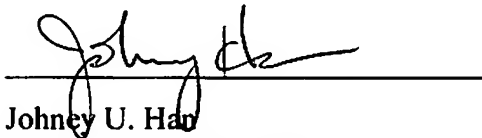
Because the present application claims priority to WO 2000/021437, this reference forms an improper basis for the present rejection under 35 U.S.C. §103(a) thereby rendering the rejection moot. Accordingly, Applicants respectfully request the reconsideration and withdrawal of the rejection under 35 U.S.C. §103(a).

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejections and pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the appropriate fee and/or petition is not filed herewith and the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with this filing to **Deposit Account No. 50-3973** referencing Attorney Docket No. **VVMDNZ00201**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John U. Han", is written over a horizontal line.

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